

APPROVED

4-20-22 20

MAYOR

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR RECONSTRUCTION AND REPLACEMENT OF SANITARY SEWER PUMP STATIONS IN AND FOR THE TOWNSHIP, APPROPRIATING \$4,000,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$4,000,000 IN WATER AND SEWER UTILITY BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

WHEREAS, the Township of Florence owns and operates a water and sewer utility which is self-liquidating pursuant to N.J.S.A. 40A:2A-45; and

WHEREAS, this ordinance approves a project which qualifies as a “environmental infrastructure project (or project component)” with an estimated price in excess of \$1,000,000; and

WHEREAS, in accordance with the provisions of P.L. 2017, c. 71, the Township has submitted, or caused to be submitted, an informational filing with the New Jersey Infrastructure Bank and received a cost estimate of the benefits available from financing the project via the NJIB financing programs;

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Florence, in the County of Burlington, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$4,000,000. Pursuant to the provisions of N.J.S.A. 40A:2-11(c), no down payment is required because the purpose is self-liquidating pursuant to N.J.S.A. 40A:2-45.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$4,000,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are improvements to the Township's sewer system, including but not limited to (i) the reconstruction and upgrade to the Main Street Pump Station, as set forth in an engineering proposal dated March 9, 2022 by Richard A Alaimo Association of Engineers and on file in the office of the Township Administrator and (ii) the replacement and relocation of the Hornberger Avenue Pump Station, as set forth in an engineering proposal dated March 9, 2022 by Richard A Alaimo Association of Engineers and on file in the office of the Township Administrator and each including as needed by-pass pumping and related mitigation practices and each including all work and related materials necessary thereof or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the

chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or

obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,000,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

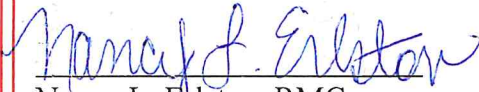
Section 7. Any grant moneys to be received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

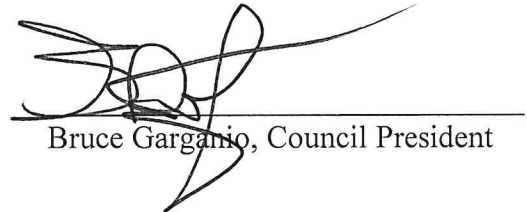
Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the

Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.


Nancy L. Erlston, RMC
Township Clerk


Bruce Gargano, Council President

State of New Jersey
Department of Community Affairs
Supplemental Debt Statement

Local Government: Florence Township Prepared As Of: 3/28/2022

Budget Year Ending December 31 (Month D-D) 2022 (Year)

Name: Anthony Mannino Phone: 609-499-2525

Title: Chief Financial Officer Email: amannino@hfacpas.com

Address: _____ CFO Cert #: N-1777

Anthony Mannino, Being duly sworn, deposes and says: Deponent is the Chief Financial Officer of Florence Township here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.

	Net Debt as per Annual Debt Statement	Decrease (Since December 31, last past)	Increase	Net Debt
Bonds and Notes for School Purposes	\$0.00	\$	\$	\$0.00
Bonds and Notes for Self-Liquidating Purposes	\$0.00	\$	\$	\$0.00
Other Bonds and Notes	\$27,832,663.77	\$394,000.00	\$3,690,000.00	\$31,128,663.77

2 Net Debt at the time of this statement is \$31,128,663.77

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are: (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
	Main Street Pump Station/Hornberger Ave Pump Station	\$4,000,000.00	\$	\$4,000,000.00
		\$4,000,000.00	\$0.00	\$4,000,000.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: \$35,128,663.77

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

Year	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	
(1) <u>2019</u>	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	<u>\$1,268,524,476.00</u>
(2) <u>2020</u>	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	<u>\$1,300,685,397.00</u>
(3) <u>2021</u>	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	<u>\$1,312,312,049.00</u>

6 Equalized Valuation Basis – Average of (1), (2) and (3)..... \$1,293,840,640.67

7 Net Debt (Line 4 Above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 2.715%

Notes

- A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.
- B This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 3 and 4 should be completed to set forth the computation supporting any deduction in line 3 above.
- C Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.

**COMPUTATION AS TO INDEBTEDNESS FOR IMPROVEMENT OR EXTENSION OF AN
EXISTING MUNICIPAL PUBLIC UTILITY, N.J.S.A. 40A:2-7(h); NJSA 40A:2-47(a)**

1. Annual Debt Statement, excess in revenues of utility
2. Less Interest and principal computed as provided in N.J.S.A. 40A:2-47(a) for all obligations authorized but not issued to the extent not already charged to income in the annual debt statement.
3. Excess revenue prior to authorizing proposed obligations = (column 1 minus column 2)
4. Interest and principal calculated for proposed obligations N.J.S.A. 40A:2-47(a)
 - (a) Interest for one year at 4 1/2%
 - (b) First installment of serial bonds legally issuable
 - (c) Total charges (Items (a) and (b))

	1	2	3	4(a)	4(b)	4(c)
Municipal Public Utility	ADS Excess in Revenues of Utility	Less Interest and Principal	Excess Revenue	Interest for One Year	1 st Installment of Serial Bonds Legally Issuable	Total Charges
Water/Sewer	338,384.30		338,384.30	180,000.00	67,796.61	247,796.61

Note: If line 3 equals or exceeds line 4, obligations may be authorized under the provisions of N.J.S.A. 40A:2-7(h) as limited by N.J.S.A. 40A:2-47(a).

**COMPUTATION OF SCHOOL INDEBTEDNESS AND DEDUCTIONS
UNDER PROVISIONS OF N.J.S.A. 18A: 24-17**

N.J.S.A. 18A:24-19 (Lines 1 to 7)

1	Average of equalized valuations (page 1, line 3)	\$1,293,840,640.67
2	Gross School District Debt outstanding and authorized but not issued (not including proposed issue)	\$
3	Less: Sinking funds held for payment of School Debt, by Sinking Fund Commission	\$
4	Net debt for school purposes (line 2, minus line 3)	\$0.00
5	Debt deduction for school purposes' % (as per line below)	%
	(a) 2½% Kindergarten or Grade 1 through Grade 6	
	(b) 3 % Kindergarten or Grade 1 through Grade 8	
	(c) 3½% Kindergarten or Grade 1 through Grade 9	
	(d) 4 % Kindergarten or Grade 1 through Grade 12	
6	Available debt deduction (excess, if any, of line 5 over line 4)	\$0.00
7	School Bonds about to be authorized	\$
Note: Omit lines 8 to 13, if line 6 equals or exceeds line 7, or if shown on line 17		

N.J.S.A. 18A:24-22 (Lines 8 to 13)

8	Excess of line 7 over line 6	\$0.00
9	Municipal Debt Limit (3½% of line 1 above)	\$45,284,422.42
10	Net Debt	\$31,128,663.77
11	Available Municipal Borrowing Margin (excess, if any, of line 9 over line 10)	\$14,155,758.65
12	Use of Municipal Borrowing Margin (line 8 not exceeding line 11)	\$0.00
13	Remaining Municipal Borrowing Margin after authorization of proposed School Bonds (line 11 minus line 12)	\$14,155,758.65
Note: Omit lines 14 to 16, if line 11 equals or exceeds line 8, or if shown on line 17		

N.J.S.A. 18A:24-24 (lines 14 to 16)

14	Amount of line 7	\$
15	Amount of Deduction:	
	(a) Amount of line 6	\$0.00
	(b) Amount of line 11	\$14,155,758.65
	Total	\$14,155,758.65
16	Excess of line 14 over line 15	\$0.00

Computation of Regional School Indebtedness

Municipality	1		2		3	4	5
	Average Equalized Valuations 40A:2-43						
	Amount	Percentage					

SPECIAL DEBT STATEMENT

BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(f)

1	Amount of accumulated debt incurring capacity under RS 40:1-16(d) as shown on the latest Annual Debt Statement.	\$
2	Obligations heretofore authorized in excess of debt limitation and pursuant to:	
	(a) N.J.S.A. 40A:2-7(d)	\$
	(b) N.J.S.A. 40A:2-7(f)	\$
	(c) N.J.S.A. 40A:2-7(g)	\$
	Total	\$0.00
3	Available debt incurring capacity (N.J.S.A. 40A:2-7(f))	\$
4	Obligations about to be authorized pursuant to N.J.S.A. 40A :2-7(f) (If item 3 equals or exceeds item 4, obligations may be authorized)	\$

BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(g)

1	Total appropriations made in local unit budget for current fiscal year for payment of obligations of local unit included in Annual Debt Statement or revision thereof last filed as of preceding December 31, 2021	\$
2	Less the amount of such obligations which constitute utility and assessment obligations:	\$
3	Excess of item 1 over item 2:	\$0.00
4	Amount raised in the tax levy of the current fiscal year by the local unit for the payment of bonds or notes of any school district	\$
5	Amount equal to 2/3 of the sum of item 3 and item 4	\$0.00
6	(a) Amount of obligations heretofore authorized under N.J.S.A. 40A:2-7(g) in current fiscal year	\$
	(b) Amount of authorizations included in 6(a) which were heretofore repealed	\$
	(c) Excess of item 6(a) over item 6(b)	\$0.00
7	Excess of item 5 over item 6(c)	\$0.00
8	Obligations about to be authorized	\$
9	Borrowing capacity still remaining after proposed authorization	\$0.00

(item 7 less item 8) (If item 7 equals or exceeds item 8, obligations may be authorized)

**FLORENCE TOWNSHIP
ORDINANCE NO. 2022-06**

PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Council of the Township of Florence, in the County of Burlington, New Jersey on April 20, 2022, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: AN ORDINANCE OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR RECONSTRUCTION AND REPLACEMENT OF SANITARY SEWER PUMP STATIONS IN AND FOR THE TOWNSHIP, APPROPRIATING \$4,000,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$4,000,000 IN WATER AND SEWER UTILITY BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

Purpose(s): Improvements to the Township's sewer system, including but not limited to (i) the reconstruction and upgrade to the Main Street Pump Station, as set forth in an engineering proposal dated March 9, 2022 by Richard A Alaimo Association of Engineers and on file in the office of the Township Administrator and (ii) the replacement and relocation of the Hornberger Avenue Pump Station, as set forth in an engineering proposal dated March 9, 2022 by Richard A Alaimo Association of Engineers and on file in the office of the Township Administrator and each including as needed by-pass pumping and related mitigation practices and each including all work and related materials necessary thereof or incidental thereto.

Appropriation: \$4,000,000

Debt Authorized: \$4,000,000

Grants Appropriated: None.

Section 20 Costs: \$1,000,000

Nancy L. Erlston, RMC
Township Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Ordinance No.. <u>2022-06</u>
Advertised in Burlington County Times on: <u>APRIL 24, 2022</u>
Effective Date: <u>MAY 14, 2022</u>
<u>NSE</u> Initials